

Message Text

LIMITED OFFICIAL USE

PAGE 01 VIENNA 06524 01 OF 02 131647Z
ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 IOE-00 SSO-00 AF-10 ARA-10
EA-07 NEA-10 OIC-02 L-03 EB-07 AID-05 CIAE-00
INR-07 NSAE-00 COME-00 INRE-00 OMB-01 TRSE-00
/089 W

-----038359 131718Z /53

O R 131616Z JUL 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 2531
INFO USMISSION GENEVA
USMISSION USUN NEW YORK IMMEDIATE

LIMITED OFFICIAL USE SECTION 1 OF 2 VIENNA 6524

UNIDO

GENEVA FOR US DEL ECOSOC

EO 11652: N/A
TAGS: UNIDO, OCON, EAID
SUBJ: RESUMPTION OF NEGOTIATIONS ON UNIDO CONSTITUTION

REF: (A) VIENNA 6332 (B) STATE 089709

1. AS FORECAST REFTEL, MEHTA MET WALDHEIM IN GENEVA JULY 6 FOR DISCUSSION OF FOLLOWUP TO CIEC AND IDB-XI CALL FOR EARLY RESUMPTION OF NEGOTIATION ON UNIDO CONSTITUTION. ON AFTER-NOON OF JULY 13, MEHTA REPORTED ON OUTCOME OF THE MEETING TO CHAIRMAN OF THE GEOGRAPHIC GROUPS.

2. UPSHOT OF MEHTA/WALDHEIM MEETING WAS DECISION OF SYG TO CONVENE A CONFERENCE OF PLENIPOTENTIARIES AT UN NEW YORK AT 1500 HOURS AUGUST 29 TO MEET UNTIL SEPTEMBER 12, 1977. ACCORDING TO MEHTA, WALDHEIM'S INITIAL VIEW WAS THAT, GIVEN THE SHORT TIME AVAILABLE BEFORE THE RESUMPTION OF THE 31ST GA
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 VIENNA 06524 01 OF 02 131647Z

AND THE ALREADY HEAVY LOAD ON NEW YORK CONFERENCE FACILITIES DURING THE SUMMER, IT WOULD NOT BE PRACTICAL TO CONVENE SUCH MEETING BEFORE 1978. HOWEVER, AS THE DISCUSSION PROCEEDED (ATTENDED ALSO BY PAUL SZASZ OF NEW YORK LEGAL ADVISER'S OFFICE AND UNIDO SECRETARIAT), SYG SWUNG AROUND TO FEELING THAT IN LIGHT OF NOTE OF URGENCY STRUCK ON THIS MATTER AT CIEC AND IDB-XI, HE HAD TO MAKE

EVERY EFFORT TO ACCOMMODATE IT PRIOR TO THE GA. PERIOD
STTTLED ON REPRESENTS MAXIMUM WHICH COULD BE SQUEEZED OUT
OF CONFERENCE FACILITIES AVAILABLE. MEHTA ALSO REORTED
THAT IT WAS SYG'S INTENTION BECAUSE OF PRESSURE OF TIME,
UNLESS FACED WITH FORMAL OBJECTION FROM ONE OR MORE GEO-
GRAPHIC GROUPS WHICH WOULD HAVE TO BE CONVEYED TO HIM THAT
DAY, IMMEDIATELY TO NOTIFY MEMBER GOVERNMENTS OF HIS DE-
CISION TO CONVENE THE CONFERENCE AND REQUEST INDICATION
OF WHETHER GOVERNMENTS WOULD PLAN TO PARTICIPATE. (WE
ARE TOLD BY SECRETARIAT THAT INDICATED ATTENDANCE BY 70-80
COUNTRIES WOULD BE SUFFICIENT TO PROCEED WITH HOLDING THE
CONFERENCE.)

3. DURING ENSUING DISCUSSION BETWEEN MEHTA AND CHAIRMEN OF
GEOGRAPHIC GROUPS, ADENIJI (NIGERIA-CHAIRMAN OF G-77) EX-
PRESSED REGRET THAT ONLY TWO WEEKS WOULD BE ALLOTTED TO THE
MEETING AND SKEPTICISM THAT TIME ALLOTTED WOULD BE SUFFICIENT
TO IRON OUT REMAINING SUBSTANTIVE ISSUES. HE FORESAW NEED
TO RECONVENE IN EARLY 1978. HOWEVER, SINCE THERE WAS
NO OPPORTUNITY TO CONSULT WITH OTHER G-77. MISSIONS, HE
WOULD NOT OBJECT TO SYG'S ISSUANCE OF INVITATIONS. CHAIR-
MEN OF LATIN AMERICAN AND ASIAN GROUPS DID NOT DISSENT
FROM ADENIJI'S POSITION. GROUP D INDICATED IT WAS PRE-
PARED TO GO ALONG. GROUP B CHAIRMAN (U.S.) RAISED VARIOUS
POINTS. AMONG THESE WERE THE FOLLOWING: (A) WAS ANY ATTEN-
TION GIVEN IN DISCUSSION WITH WALDHEIM TO TWO-STAGE APPROACH
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 VIENNA 06524 01 OF 02 131647Z

WHICH AT LEAST SOME GROUP B COUNTRIES (E.G., U.S.) HAVE
INSISTED UPON BY WAY OF PROCEDURAL ARRANGEMENTS FOR FUTURE
WORK ON THE CONSTITUTION. MEHTA REPLIED THAT THIS WAS
LOOKED AT, BUT CONCLUSION WAS THAT IT WOULD BE UP TO THE
PLENIPOTENTIARY CONFERENCE TO DECIDE ON HOW TO ORGANIZE ITS
BUSINESS. IN ANY CASE, BOTH MEHTA AND ADENIJI FELT THERE
WOULD BE NO DIFFICULTY IN AGREEING THAT, EVEN IF DRAFTING
OF THE CONSTITUTION WERE COMPLETED BY SEPTEMBER 12, AN
APPROPRIATE INTERVAL SHOULD BE ALLOWED DURING WHICH GOVERN-
MENTS COULD DECIDE WHETHER IT WAS WORTHWHILE TO RECONVENE
THE CONFERENCE FOR SIGNING OF THE FINAL ACT AND OPENING
THE CONSTITUTION FOR SIGNATURE. MEHTA SAID THAT IF THE JOB
WERE NOT COMPLETED BY SEPTEMBER 12, WALDHEIM WOULD REPORT
ACCORDINGLY TO THE 32ND GA AND INVITE IT TO DECIDE WHAT
FURTHER STEPS, IF ANY, SHOULD BE TAKEN IN THIS RESPECT IN
1978; (B) WHAT SIGNIFICANCE DID THE SYG ATTACH TO THE PHRASE
"WITHIN THE FRAMEWORK OF A PLENIPOTENTIARY CONFERENCE"

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 VIENNA 06524 02 OF 02 131703Z
ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 IOE-00 EB-07 AID-05 L-03
CIAE-00 INR-07 NSAE-00 COME-00 AF-10 ARA-10 EA-07
NEA-10 OIC-02 SSO-00 INRE-00 OMB-01 TRSE-00 /089 W
-----038547 131717Z /53

O R 131616Z JUL 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 2532
INFO USMISSION GENEVA
USMISSION USUN NEW YORK IMMEDIATE

LIMITED OFFICIAL USE SECTION 2 OF 2 VIENNA 6524

UNIDO

GENEVA FOR US DEL ECOSOC

WHICH APPEARS IN BOTH THE CIEC AND IDB TEXTS. MEHTA
REPLIED THAT THIS PHRASE HAD BEEN LOOKED AT, BUT THAT
WALDHEIM'S POSITION WAS THAT HE HAD NO AUTHORITY FROM
THE GA TO CONVENE ANY MEETING, SINCE THE IGC HAD CEASED
TO FUNCTION AS THE FORUM OF NEGOTIATIONS, EXCEPT A PLEN-
IPOTENTIARY CONFERENCE. IN ANY CASE, THERE WAS NO WAY
THAT HE COULD SEE IF PROVIDING FOR MEETINGS "WITHIN THE
FRAMEWORK OF A PLENIPOTENTIARY CONFERENCE", EXCEPT BY
FIRST CONVENING THE CONFERENCE ITSELF.

(C) THE VIEW OF MANY GROUP B COUNTRIES WAS THAT THE WAY EFFEC-
TIVELY TO CONTINUE THE WORK DONE BY THE IGC WAS TO ASSURE
CONTINUED NEGOTIATION AT THE WORKING LEVEL AND AVOID A
"POLITICAL-TYPE MEETING" AT THIS STAGE WITH TIME-CONSUMING
GENERAL DEBATES OF THE ISSUES. THIS, IF A PLENIPOTENTIARY
CONFERENCE WERE TO BE CONVENED, IT WOULD BE ESSENTIAL THAT
AFTER A BRIEF PLENARY OPENING TO ELECT THE BUREAU AND ADOPT
THE AGENDA AND RULES OF PROCEDURE, IT IMMEDIATELY RESOLVE
ITSELF INTO WORKING GROUPS AS AT THE IGC. MEHTA AND
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 VIENNA 06524 02 OF 02 131703Z

ADENIJI BOTH AGREED THIS SHOULD BE DONE.
(D) COULD GOVERNMENTS PARTICIPATE IN A CONFERENCE OF PLENI-
POTENTIARIES WITH DELEGATIONS NOT ARMED WITH PLENIPOTENTIARY
POWERS. KLOEPZIG (UNIDO LEGAL LIAISON) EXPRESSED VIEW

THIS SHOULD BE POSSIBLE, BUT WISHED TO CHECK WITH UN LEGAL ADVISER. THIS MIGHT DEPEND IN PART ON WORDING OF RULES OF PROCEDURE. WITH NO OPPORTUNITY TO CONSULT HIS GROUP AND IN LIGHT OF POSITION OF OTHER PARTICIPANTS, GROUP B CHAIRMAN INDICATED HE WOULD NOT WISH TO INTERPOSE FORMAL OBJECTION TO SYG'S DECISION.

4. FOLLOWING MEHTA'S MEETING, UNIDO SECRETARIAT TRANSMITTED TO UN NEW YORK DRAFT PROPOSED COMMUNICATION FROM SYG TO MEMBER GOVERNMENTS, COMMUNICATION, AFTER REVIEWING BRIEFLY THE HISTORY OF INCOMPLETED NEGOTIATIONS, WOULD CONCLUDE AS FOLLOWS: QTE TAKING INTO ACCOUNT THE LIMITED AVAILABILITY OF CONFERENCE FACILITIES AT HEADQUARTERS DUE TO NUMEROUS PREVIOUSLY SCHEDULED MEETINGS, AND IN PARTICULAR, THOSE OF THE RESUMED 31ST AND 32ND SESSIONS OF THE GENERAL ASSEMBLY, THE SECRETARY GENERAL HAS ACCORDINGLY DECIDED TO CONVENE A CONFERENCE OF PLENIPOTENTIARIES ON THE ESTABLISHMENT OF UNIDO AS A SPECIALIZED AGENCY AT UN HEADQUARTERS IN NEW YORK AT 1500 HOURS ON AUGUST 29, 1977, WHICH IS TO MEET UNTIL SEPTEMBER 12, 1977. UNQTE.

5. IN HURRIEDLY CONVENED GROUP B MEETING THIS MORNING, CHAIRMAN INFORMED GROUP OF ABOVE DEVELOPMENTS. GENERAL FEELING WAS THAT GROUP B GOVERNMENTS COULD NOT REFUSE SYG'S INVITATION TO ATTEND PLENIPOTENTIARY CONFERENCE, AFTER HAVING SUPPORTED CIEC AND IDB DECISIONS. QUESTION OF REPRESENTATION AT SAME LEVELS AS AT IGC MEETING WITHOUT PLENIPOTENTIARY POWERS WAS DISCUSSED, IT BEING NOTED THAT ONE WAY FOR GROUP B GOVERNMENTS TO EMPHASIZE THAT NEW YORK MEETING WAS BASICALLY LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 VIENNA 06524 02 OF 02 131703Z

A CONTINUATION OF THE VIENNA NEGOTIATIONS WOULD BE TO FIELD ESSENTIALLY THE SAME DELEGATIONS AS ATTENDED IGC MEETINGS.

6. COMMENT: DEPARTMENT WILL RECALL THAT G-77 AT IGC-V REJECTED VARIOUS GROUP B PROPOSALS LOOKING TO COME MEETING IN NEW YORK PRELIMINARY TO CONVENING A PLENIPOTENTIARY CONFERENCE, E.G., A PREPARATORY COMMITTEE, IN ORDER FIRST TO DETERMINE WHETHER REMAINING MAJOR ISSUES WOULD BE RESOLVED. THIS, TOGETHER WITH WALDHEIM'S POSITION, APPEARS TO FACE US WITH GOING ALONG WITH THE FORMAL CONVENING OF A PLENIPOTENTIARY CONFERENCE IF A FURTHER ATTEMPT TO NEGOTIATE THE CONSTITUTION IS TO BE MADE THIS YEAR. THE ALTERNATIVE WOULD BE TO ATTEMPT TO FORCE A DISCUSSION OF FURTHER STEPS AT THE 32ND GA IN THE HOPE OF EMERGING WITH SOME OTHER PROCEDURE. IN ANY CASE, WHETHER THE CONFERENCE ACTUALLY CONVENES ON AUGUST 29 DEPENDS IN PART ON THE LEVEL OF G-77 INTEREST IN ACTIVELY PURSUING THE SUBJECT. ADENIJI PRIVATELY TOLD US THAT, GIVEN SUMMER VACATIONS AND THE PRESS

OF OTHER BUSINESS, IT WOULD BE DIFFICULT FOR THE G-77 TO
PRODUCE HIGH LEVEL REPRESENTATION.

7. SUGGEST USUN CONTACT PAUL SZASZ IN LEGAL ADVISER'S
OFFICE AS SOON AS POSSIBLE TO DETERMINE STATUS OF DRAFT
SYG COMMUNICATION TO MEMBER GOVERNMENTS AND WHETHER TEXT WILL
READ AS TRANSMITTED BY UNIDO SECRETARIAT. STIBRAVY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NEGOTIATIONS, CONSTITUTIONAL AMENDMENTS, INTERNATIONAL ORGANIZATIONS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977VIENNA06524
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770249-0583
Format: TEL
From: VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770760/aaaabzvm.tel
Line Count: 231
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 573dd76b-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 VIENNA 6332, 77 STATE 89709
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 26-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1870562
Secure: OPEN
Status: NATIVE
Subject: RESUMPTION OF NEGOTIATIONS ON UNIDO CONSTITUTION
TAGS: OCON, EAID, UNIDO
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/573dd76b-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009